



U.S. Department of Justice
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Western District of New York

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PRESS RELEASE

November 13, 2003

RE: UNITED STATES v. ROYCE MITCHELL

United States Attorney Michael A. Battle announced today the return of a three count Indictment, charging Royce Mitchell, age 30, of Buffalo, New York, with committing an intentional killing while engaged in a conspiracy to distribute cocaine and cocaine base and with using and carrying a firearm in furtherance of a crime of violence and a drug trafficking crime in violation of Title 21, United States Code, Section 848(e)(1)(A) and Title 18, United States Code, Section 924(j)(1). The charges in the indictment carry a possible sentence of a term of imprisonment of at least 20 years and up to life and a fine of \$250,000. It should be noted that the fact that a defendant has been charged with a crime . . . is merely an accusation and the defendant is presumed innocent until and unless proven guilty. (**Disciplinary Rule 7-107(B)(6)**).

United States Attorney Battle stated that the Indictment charges the defendant with shooting Gary Foster to death on November 14, 1998 in Buffalo, New York. It is alleged that, at the time the defendant murdered Foster, the defendant was engaged in

a conspiracy to distribute quantities of cocaine and cocaine base in the Buffalo area and that the murder was related to the defendant's drug trafficking activities.

The Indictment was the culmination of an Organized Crime Drug Enforcement Task Force investigation on the part of the Drug Enforcement Administration, under the direction of Resident Agent in Charge Mark Peterson, the Federal Bureau of Investigation, under the direction of Special Agent in Charge Peter J. Ahearn and the Buffalo Police Department under the direction of Commissioner Rocco Diina. Mr. Battle praised the efforts of the Major Crimes Unit of the Buffalo Police Department and stated that without the efforts of detectives assigned to this unit, this indictment could not have been returned.

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